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AMENDMENT TRANSMITTAL LETTER				Docket No. SPINE 3.0-446 CONT
Application No. 10/715,969-Conf. #5368	Filing Date November 18, 2003	Examiner J. G. Blanco	Art Unit 3738	
Applicant(s): James D. Ralph, Stephen Tatar, and Joseph P. Errico				
Invention: INTERVERTEBRAL SPACER DEVICE HAVING ARCH SHAPED SPRING ELEMENTS				
TO THE COMMISSIONER FOR PATENTS				
Transmitted herewith is an amendment in the above-identified application.				
The fee has been calculated and is transmitted as shown below.				
CLAIMS AS AMENDED				
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate
Total Claims	23	- 23 =	0	x
Independent Claims	3	- 3 =	0	x
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>				
Other fee (please specify):				
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:				0.00
<input checked="" type="checkbox"/> Large Entity	<input type="checkbox"/> Small Entity			
<input checked="" type="checkbox"/> No additional fee is required for this amendment.				
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed.				
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.				
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.				
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>12-1095</u> as described below. A duplicate copy of this sheet is enclosed.				
<input checked="" type="checkbox"/> Credit any overpayment.				
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.				
<u>Michael J. Doherty</u>		Dated: <u>June 28, 2006</u>		
Michael J. Doherty Attorney/Agent Reg. No.: 40,592				
LERNER, DAVID, LITTBENBERG, KRUMHOLZ & MENTLIK, LLP 600 South Avenue West Westfield, New Jersey 07090 (908) 518-6337				
<p>I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p> <p>Dated: June 28, 2006 Signature: <u>Michael J. Doherty</u> (Michael J. Doherty)</p>				

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: June 28, 2006

Signature:

Michael J. Doherty
(Michael J. Doherty)



Docket No.: SPINE 3.0-446 CONT
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of :
Ralph et al. :
Application No.: 10/715,969 : Group Art Unit: 3738
Filed: November 18, 2003 : Examiner: J. G. Blanco
For: INTERVERTEBRAL SPACER DEVICE :
HAVING ARCH SHAPED SPRING :
ELEMENTS :

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

In response to the Office Action mailed May 15, 2006,
Applicants submit the following amendments and remarks.